

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Omar Gadir, et al.
 Serial No. : 09/911,902
 Filed : July 23, 2001
 Title : HIGH-AVAILABILITY CLUSTER VIRTUAL SERVER SYSTEM

Commissioner for Patents
 Washington, D.C. 20231

PRELIMINARY AMENDMENT

Prior to examination, please amend the application as follows:

In the claims:

Amend claim 27 as follows:

27. (Amended) The product of claim 25, further comprising instructions to:

recognize a virtual server that is identified as not to be migrated in the event of node failure and prevent migration of a so-identified virtual server when it is on a node that fails.

Add claims 35-40:

10/10/2001 NM0HMM1 00000015 09911902

01 FC:203 54.00 OP
 02 FC:202 84.00 OP

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

October 1, 2001
 Date of Deposit

Diana Bradley
 Signature

Diana Bradley
 Typed or Printed Name of Person Signing Certificate



7-A

03/03

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TRANSMITTAL LETTER

The following correspondence relating to this application is enclosed.

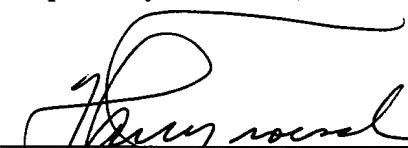
- Preliminary Amendment (5 Pages).

The required fees are computed below. Please apply any charges not covered, or any credits, to Deposit Account No. 06-1050.

Total Claims	40	-	34	=	6	\$54
Independent	7	-	5	=	2	\$84
First Presentation of Multiple Dependent Claims						\$0
TOTAL FEE DUE						\$138

A check for \$138 is attached.

Respectfully submitted,


 Hans R. Troesch
 Reg. No. 36,950

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 Menlo Park, California 94025
 Telephone: (650) 322-5070
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 50062956.doc

10/10/2001 HIGHAVAIL 00000015 09911902

01 FC:203
 02 F6:202

54.00 OP
 04.00 OP

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